

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Wayne Belcher

Application No.: 10/774,976

Confirmation No.: 9594

Filed: February 9, 2004

Art Unit: 1722

For: NON-MARKING SEALANT TOOL

Examiner: E. S. Luk

INTERVIEW SUMMARY AND WITHDRAWAL OF FINAL OFFICE ACTION

MS AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

INTRODUCTORY COMMENTS

With respect to the Final Office Action mailed October 6, 2006, Applicant's representative conducted a telephone interview with the Examiner. Based on the interview, the Examiner recommended that the final office action be withdrawn, and a new office action would be provided to the Applicant.

REMARKS


In the Applicant's response mailed July 28, 2006 to the non-final office action mailed on May 5, 2006, the Applicant amended claim 14 to recite "The sealant tool of Claim 1, wherein the sealant tool is without a cutting edge." However, the reasons for rejection for claim 14 in the final office action mailed October 6, 2006 related to the limitations of claim 14 as originally filed, and not as amended in the response mailed July 28, 2006.

Based on this apparent confusion, an Examiner interview was conducted on November 28, 2006. During the interview, the Applicant's representative further pointed out that the cited references in the final office action, Julien (U.S. Patent No. 6,293020) and Arnett (U.S. Design Patent DE 31965), refer to cutting instruments and a knife, respectively. Thus, they both include a cutting edge. The Examiner concurred that the rejection of claim 14 was incorrect, based on the provided reasons for its rejection. The Examiner further recommended that the Applicant submit an interview summary, and that the Examiner would retract the final office action.

The Applicant wishes to thank the Examiner for his time and patience with this matter. In addition, the Examiner is invited to telephone Applicant's attorney at the number listed below, should there be any questions or outstanding issues.

Dated: December 1, 2006

Respectfully submitted,

By 

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